

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-01807-TJK**

PRONIN v. FEDERAL BUREAU OF PRISONS
Assigned to: Judge Timothy J. Kelly
Cause: 05:552 Freedom of Information Act

Date Filed: 09/01/2017
Jury Demand: None
Nature of Suit: 550 Prisoner Petition: Civil Rights (Other)
Jurisdiction: U.S. Government Defendant

Plaintiff**DMITRY PRONIN**

represented by **DMITRY PRONIN**
R06763-015
SHERIFF A1 CANNON DETENTION
CENTER
3841 Leeds Avenue
Charleston, SC 29405
PRO SE

V.

Defendant**FEDERAL BUREAU OF PRISONS**

represented by **Scott Leeson Sroka**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-7113
Fax: (202) 252-2599
Email: scott.sroka@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/01/2017		Initiating Pleading & IFP Application Received on 9/1/2017. (md) (Entered: 09/06/2017)
09/01/2017	<u>1</u>	COMPLAINT against FEDERAL BUREAU OF PRISONS filed by DMITRY PRONIN. (Attachments: # <u>1</u> Exhibits to Complaint) (md) (Entered: 09/06/2017)
09/01/2017	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by DMITRY PRONIN. (md) (Entered: 09/06/2017)
10/11/2017	<u>3</u>	ORDER GRANTING <u>2</u> Motion for Leave to Proceed in forma pauperis. Signed by Judge Randolph D. Moss on 10/4/2017. (md) (Entered: 10/13/2017)
10/13/2017		Case Reassigned to Judge Timothy J. Kelly. Unassigned is no longer assigned to the case. (md) (Entered: 10/13/2017)
12/01/2017	<u>4</u>	SUMMONS (3) Issued as to FEDERAL BUREAU OF PRISONS, U.S. Attorney and U.S. Attorney General (jd) (Entered: 12/01/2017)
12/11/2017	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/7/2017. Answer due for ALL FEDERAL DEFENDANTS by 1/6/2018. (jf) (Entered: 12/12/2017)
12/13/2017	<u>6</u>	NOTICE of Appearance by Scott Leeson Sroka on behalf of All Defendants (Sroka, Scott) (Entered: 12/13/2017)

12/18/2017	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/15/2017. (jf) (Entered: 12/19/2017)
01/05/2018	<u>8</u>	MOTION for Extension of Time to File Answer by FEDERAL BUREAU OF PRISONS (Sroka, Scott) (Entered: 01/05/2018)
01/11/2018		MINUTE ORDER granting <u>8</u> Motion for Extension of Time to Answer. It is hereby ORDERED, for good cause shown and nunc pro tunc to January 5, 2018, that Defendant's motion is GRANTED. Defendant shall answer or otherwise respond to Plaintiff's complaint by February 5, 2018. Signed by Judge Timothy J. Kelly on 1/11/2018. (lctjk2) Modified event title on 1/12/2018 (znmw). (Entered: 01/11/2018)
02/01/2018	<u>9</u>	NOTICE of Change of Address by DMITRY PRONIN (jf) (Entered: 02/02/2018)
02/05/2018	<u>10</u>	MOTION for Extension of Time to File Answer <i>and Set Briefing Schedule</i> by FEDERAL BUREAU OF PRISONS (Sroka, Scott) (Entered: 02/05/2018)
02/07/2018		MINUTE ORDER denying <u>10</u> Motion for Entry of Proposed Scheduling Order. On January 11, 2018, the Court extended Defendant's time to answer or otherwise respond to Plaintiff's complaint by one month, to February 5. The Court did not hear from Defendant again until February 5, when it filed the instant motion. Defendant asks the Court to enter a briefing schedule for a dispositive motion, effectively seeking a further one-month extension. But Defendant has not articulated why the initial extension was insufficient time to prepare a response to the complaint, or why Defendant needs another full month to do so. Defendant has thus failed to show good cause for the proposed extension. Accordingly, it is hereby ORDERED that Defendant's motion is DENIED without prejudice to the filing of a motion that adequately describes the reasons for the proposed extension of time. Signed by Judge Timothy J. Kelly on 2/7/2018. (lctjk2) (Entered: 02/07/2018)
02/26/2018	<u>11</u>	NOTICE of Change of Address by DMITRY PRONIN (jf) (Entered: 02/28/2018)
03/05/2018	<u>12</u>	MOTION for Extension of Time to File Answer by FEDERAL BUREAU OF PRISONS (Sroka, Scott) (Entered: 03/05/2018)
03/06/2018		MINUTE ORDER granting in part and denying in part Defendant's <u>12</u> Motion for Extension of Time to File Answer and Renewed Motion for Entry of Proposed Scheduling Order. It is hereby ORDERED, for good cause shown and nunc pro tunc to February 5, 2018, that Defendant's motion is GRANTED IN PART AND DENIED IN PART. The Court grants Defendant's request for an extension of time to respond to the complaint, and Defendant shall answer or otherwise respond to Plaintiff's complaint by March 19, 2018. But the Court denies, as premature, Defendant's request to set a briefing schedule for its dispositive motion, given that Defendant has not yet answered the complaint and that Defendant is, as stated in the motion, still gathering "materials potentially relevant to the underlying Freedom of Information Act requests." Signed by Judge Timothy J. Kelly on 3/6/2018. (lctjk2) (Entered: 03/06/2018)
03/19/2018	<u>13</u>	MOTION for Extension of Time to File Answer by FEDERAL BUREAU OF PRISONS (Sroka, Scott) (Entered: 03/19/2018)
03/19/2018	<u>15</u>	MOTION for Entry of Default by DMITRY PRONIN (jf) (Entered: 03/26/2018)
03/20/2018	<u>14</u>	Memorandum in opposition to re <u>13</u> MOTION for Extension of Time to File Answer filed by DMITRY PRONIN. (jf) (Entered: 03/26/2018)
03/23/2018		MINUTE ORDER granting Defendant's <u>13</u> Motion for Extension of Time. It is hereby ORDERED, for good cause shown and nunc pro tunc to March 19, 2018, that Defendant's motion is GRANTED. Defendant shall answer or otherwise respond to Plaintiff's complaint by April 5, 2018. Defendant is advised that any further extension will require a more particularized showing of good cause in light of the number of extensions already granted. Signed by Judge Timothy J. Kelly on 3/23/2018. (lctjk2) (Entered: 03/23/2018)
04/05/2018	<u>16</u>	ANSWER to <u>1</u> Complaint by FEDERAL BUREAU OF PRISONS.(Sroka, Scott) (Entered: 04/05/2018)

04/06/2018		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall each file a proposed schedule for briefing or disclosure by April 30, 2018. If practicable, the parties may also meet, confer, and file a joint proposed schedule. Signed by Judge Timothy J. Kelly on 4/6/2018. (lctjk2) (Entered: 04/06/2018)
04/06/2018		MINUTE ORDER denying Plaintiff's <u>15</u> Motion for Entry of Default. Because the Court extended Defendant's time to answer the complaint, Defendant is not in default. Accordingly, it is hereby ORDERED that Plaintiff's motion is DENIED. Signed by Judge Timothy J. Kelly on 4/6/2018. (lctjk2) (Entered: 04/06/2018)
04/09/2018		Set/Reset Deadlines: Proposed Briefing Schedule due by 4/30/2018. (kh) (Entered: 04/09/2018)
04/11/2018		Partial Filing Fee Received from DMITRY PRONIN in the amount of \$9.01, receipt number: 4616090449. (zrdj) (Entered: 04/18/2018)
04/20/2018	<u>17</u>	NOTICE of Proposed Schedule by DMITRY PRONIN (jf) (Entered: 04/24/2018)
04/20/2018	<u>18</u>	RESPONSE re <u>16</u> Answer to Complaint filed by DMITRY PRONIN. (jf) (Entered: 04/24/2018)
04/30/2018	<u>19</u>	STATUS REPORT by FEDERAL BUREAU OF PRISONS. (Sroka, Scott) . (Entered: 04/30/2018)
04/30/2018	<u>20</u>	MOTION for Briefing Schedule by FEDERAL BUREAU OF PRISONS. (See Docket Entry <u>19</u> to view document) (jf) (Entered: 05/01/2018)
05/02/2018	<u>21</u>	ORDER granting in part 20 Motion for Briefing Scheduling. Defendant's dispositive motion due by 5/30/2018. Plaintiff's response due by 7/13/2018. Defendant's reply due by 7/27/2018. See Order for details. Signed by Judge Timothy J. Kelly on 5/2/2018. (lctjk2) (Entered: 05/02/2018)
05/10/2018	<u>22</u>	Memorandum in opposition to re 20 MOTION for Briefing Schedule filed by DMITRY PRONIN. (jf) (Entered: 05/11/2018)
05/30/2018	<u>23</u>	MOTION for Extension of Time to <i>File Dispositive Motion</i> by FEDERAL BUREAU OF PRISONS (Sroka, Scott) (Entered: 05/30/2018)
05/31/2018		MINUTE ORDER granting <u>23</u> Motion for Extension of Time. Before the Court is Defendant's latest eleventh-hour request for an extension of time in this matter. This request seeks to extend yesterday's deadline for Defendant's dispositive motion—a deadline that Defendant itself proposed. The Court hereby GRANTS the request for good cause shown and ORDERS, nunc pro tunc to yesterday, that Defendant shall file its motion by June 22, 2018. Plaintiff shall file his opposition by August 3, 2018, and Defendant shall file its reply by August 24, 2018. However, Defendant is advised that any further motions for extension of time in this matter must be filed at least one week in advance of the deadline to be extended, and must include specific facts demonstrating good cause to justify the extension. Signed by Judge Timothy J. Kelly on 5/31/2018. (lctjk2) (Entered: 05/31/2018)
06/22/2018	<u>24</u>	MOTION to Dismiss by FEDERAL BUREAU OF PRISONS (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration of Ronald L. Rodgers, # <u>3</u> Exhibit Attachments to the Rodgers Declaration, # <u>4</u> Exhibit Vaughn Index, # <u>5</u> Declaration of Clinton Stroble)(Sroka, Scott). Added MOTION for Summary Judgment on 6/26/2018 (tth). (Entered: 06/22/2018)
06/22/2018	<u>25</u>	ENTERED IN ERROR..... MOTION for Summary Judgment by FEDERAL BUREAU OF PRISONS (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration of Ronald L. Rodgers, # <u>3</u> Exhibit Attachments to the Rodgers Declaration, # <u>4</u> Exhibit Vaughn Index, # <u>5</u> Declaration of Clinton Stroble)(Sroka, Scott) Modified on 6/26/2018 (tth). (Entered: 06/22/2018)
07/23/2018	<u>26</u>	NOTICE by DMITRY PRONIN. "Leave to File Granted" by Judge Timothy J. Kelly on 7/23/2018. (tth) (Entered: 07/25/2018)
07/24/2018		Partial Filing Fee Received from DMITRY PRONIN in the amount of \$1.09, receipt number: 4616093614. (jf) (Entered: 07/24/2018)

09/19/2018		Partial Filing Fee Received from DMITRY PRONIN in the amount of \$329.90, receipt number: 4616094582. (zrdj) (Entered: 09/19/2018)
10/12/2018	<u>27</u>	Letter from Dmitry Pronin. "Leave to File GRANTED" by Judge Timothy J. Kelly on 10/12/2018. (tth) (Entered: 10/15/2018)
10/15/2018	<u>28</u>	ORDER affording Plaintiff an additional opportunity to respond to <u>24</u> Defendant's Motion to Dismiss or, in the alternative, for Summary Judgment. Plaintiff shall file his supplemental response, if any, by November 12, 2018. If necessary, Defendant shall file its reply by November 26, 2018. See Order for details. Signed by Judge Timothy J. Kelly on 10/15/2018. (lctjk2) (Entered: 10/15/2018)
10/31/2018	<u>29</u>	SUPPLEMENTAL RESPONSE to <u>24</u> MOTION to Dismiss, MOTION for Summary Judgment filed by DMITRY PRONIN. "Leave to file granted as supplemental response to Defendant's Motion to Dismiss, or, in the alternative, for Summary Judgment," by Judge Timothy J. Kelly on 10/31/2018. (tth) Modified to add docket text on 11/2/2018 (znmw). (Entered: 10/31/2018)
12/10/2018	<u>30</u>	NOTICE of Change of Address by DMITRY PRONIN. (tth) (Entered: 12/12/2018)
12/10/2018	<u>31</u>	MOTION to be excused from court related appearances from 11/30/2018 and ending on 1/30/2019 by DMITRY PRONIN. (tth) (Entered: 12/12/2018)
12/13/2018		MINUTE ORDER: Plaintiff's <u>31</u> Motion to be Excused from Court Appearances from 11/30/2018 through 1/30/2019 is GRANTED. Plaintiff is excused for the requested date-range only. He is excused based on his stated conflict and because no appearances are currently scheduled in this matter. The Clerk of the Court shall mail a copy of this Order to Plaintiff at his address of record. Signed by Judge Timothy J. Kelly on 12/13/2018. (dm) (Entered: 12/13/2018)
02/04/2019	<u>32</u>	MOTION to protect him from court appearances through and up to April 30, 2019 by DMITRY PRONIN. (tth) (Entered: 02/06/2019)
02/07/2019		MINUTE ORDER: Plaintiff's <u>32</u> Motion to be Excused from Court Appearances through 4/30/2019 is GRANTED. Plaintiff is excused through 4/30/19 only. He is excused based on his stated conflicts and because no appearances are currently scheduled in this matter. The Clerk of the Court shall mail a copy of this Order to Plaintiff at his address of record.Signed by Judge Timothy J. Kelly on 2/7/2019. (dm) (Entered: 02/07/2019)
03/01/2019	<u>33</u>	MEMORANDUM OPINION AND ORDER denying Defendant's <u>24</u> Motion to Dismiss or for Summary Judgment. Renewed motion for summary judgment due 4/1/2019. See Order for details. Signed by Judge Timothy J. Kelly on 3/1/2019. (lctjk2) (Entered: 03/01/2019)
04/08/2019		MINUTE ORDER: By Memorandum Opinion and Order dated March 1, 2019, the Court instructed Defendant to file any renewed motion for summary judgment by April 1, 2019. Defendant has not filed anything since the date of that order. Accordingly, it is hereby ORDERED that Defendant shall, no later than April 22, 2019, either seek leave to late-file a renewed motion for summary judgment or submit a status report informing the Court that it does not intend to file a renewed motion and proposing how it would like to proceed in this matter. Signed by Judge Timothy J. Kelly on 4/8/2019. (lctjk2) (Entered: 04/08/2019)
04/11/2019	<u>34</u>	MOTION for Extension of Time to <i>File Renewed Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS (Sroka, Scott) (Entered: 04/11/2019)
04/13/2019		MINUTE ORDER granting Defendant's <u>34</u> Motion Seeking Leave to Late File and Motion for Enlargement. It is hereby ORDERED, upon a showing of excusable neglect, that Defendant's motion is GRANTED. Defendant shall file its renewed motion for summary judgment no later than May 22, 2019. Signed by Judge Timothy J. Kelly on 4/13/2019. (lctjk2) (Entered: 04/13/2019)
05/22/2019	<u>35</u>	MOTION for Extension of Time to <i>File Renewed Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS (Sroka, Scott) (Entered: 05/22/2019)
05/22/2019		MINUTE ORDER treating as opposed, and granting Defendant's <u>35</u> Motion for Two-Day Extension of Time. It is hereby ORDERED, for good cause shown, that Defendant's motion is GRANTED. Defendant shall file its renewed motion for

		summary judgment no later than May 24, 2019. Signed by Judge Timothy J. Kelly on 5/22/2019. (lctjk2) (Entered: 05/22/2019)
05/24/2019	<u>36</u>	MOTION for Summary Judgment <i>and Supporting Memorandum</i> by FEDERAL BUREAU OF PRISONS (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration of Clinton Stroble, # <u>3</u> Exhibit Vaughn Index II)(Sroka, Scott) (Entered: 05/24/2019)
05/24/2019	<u>37</u>	ORDER advising Plaintiff to respond to Defendant's <u>36</u> Renewed Motion for Summary Judgment by June 28, 2019. See Order for details. Signed by Judge Timothy J. Kelly on 5/24/2019. (lctjk2) (Entered: 05/24/2019)
06/10/2019	<u>38</u>	MOTION for Extension of Time to File Response/Reply as to <u>36</u> MOTION for Summary Judgment <i>and Supporting Memorandum</i> by DMITRY PRONIN. (tth) (Main Document 38 replaced on 6/13/2019) (ztth). Added MOTION for Order on 6/13/2019 (tth). (Entered: 06/13/2019)
06/13/2019		MINUTE ORDER: It is hereby ORDERED that Defendant shall file its response, if any, to Plaintiff's <u>38</u> Motion for Extension of Time no later than June 17, 2019. Signed by Judge Timothy J. Kelly on 6/13/2019. (lctjk2) (Entered: 06/13/2019)
06/20/2019		MINUTE ORDER: In consideration of Plaintiff's <u>38</u> Motion for Extension of Time, and in light of Defendant's failure to respond, it is hereby ORDERED, for good cause shown, that Plaintiff's motion is GRANTED IN PART. Plaintiff's opposition to Defendant's <u>36</u> Motion for Summary Judgment is due no later than July 12, 2019. As for Plaintiff's <u>38</u> Motion for Order protecting him from future Court appearances, that motion is DENIED without prejudice. Because this is a FOIA case, the Court anticipates that the remaining issues will be resolved entirely on the parties' written submissions. In the event that circumstances change and the Court determines that a hearing is necessary, Plaintiff may renew his request at that time. Signed by Judge Timothy J. Kelly on 6/20/2019. (lctjk2) (Entered: 06/20/2019)